

1                   **PROOF OF SERVICE**  
 2                   **(FRCP 5)**

3                   I am a citizen of the United States and a resident of the State of California. I am  
 4                   employed in San Diego County, State of California, in the office of a member of the bar of this  
 5                   Court, at whose direction the service was made. I am over the age of eighteen years, and not a  
 6                   party to the within action. My business address is Cooley Godward Kronish LLP, 4401  
 7                   Eastgate Mall, San Diego, California 92121. On the date set forth below I served the  
 8                   documents described below in the manner described below:

9                   **1. CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE.**

- 10                   (BY U.S. MAIL) I am personally and readily familiar with the business practice of  
                       Cooley Godward Kronish LLP for collection and processing of correspondence  
                       for mailing with the United States Postal Service, and I caused such envelope(s)  
                       with postage thereon fully prepaid to be placed in the United States Postal Service  
                       at San Diego, California.
- 13                   (BY MESSENGER SERVICE) by consigning the document(s) to an authorized  
                       courier and/or process server for hand delivery on this date.
- 15                   (BY FACSIMILE) I am personally and readily familiar with the business practice  
                       of Cooley Godward Kronish LLP for collection and processing of document(s) to  
                       be transmitted by facsimile and I caused such document(s) on this date to be  
                       transmitted by facsimile to the offices of addressee(s) at the numbers listed below.
- 17                   (BY OVERNIGHT MAIL) I am personally and readily familiar with the business  
                       practice of Cooley Godward Kronish LLP for collection and processing of  
                       correspondence for overnight delivery, and I caused such document(s) described  
                       herein to be deposited for delivery to a facility regularly maintained by  
                       \_\_\_\_\_ for overnight delivery.
- 20                   (BY ELECTRONIC MAIL) I am personally and readily familiar with the business  
                       practice of Cooley Godward Kronish LLP for the preparation and processing of  
                       documents in portable document format (PDF) for e-mailing, and I caused said  
                       documents to be prepared in PDF and then served by electronic mail to the parties  
                       listed below.

23                   on the following part(ies) in this action:

24                   B. David Mehmet  
 25                   130 Church Street, Suite 251  
 26                   New York, NY 10007

1 Executed on May 12, 2008, at San Diego, California.  
2  
3 /s/  
4 Joann Savarino  
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